

REMARKS

Reconsideration of the above-captioned application is requested.

The allowance of claims 14-21 is acknowledged with appreciation. Note that for purposes of clarity, the term "cylinder" has been changed to --cylindrical recess-- in claim 14 as well as other claims; no change in claim scope is intended.

Original dependent claims 8 and 13 have been rewritten as new independent claims 26 and 27, respectively, and are submitted as being allowable. Claim 27 is now directed to an "apparatus" instead of a "piston pump" because a reservoir and an aerosol generator are being positively recited.

Claim 1 has been amended to recite that the groove extends parallel to the axial direction of the piston. (In the disclosed preferred embodiment the groove 42 extends parallel to the axial direction of the piston 40). The *Anderson* 160 patent, over which original claim 1 was rejected, discloses a groove arrangement 50, 51 52 which cannot extend parallel to the axis of piston 33, because *Anderson's* piston drive mechanism is designed to rotate the piston 33 while the piston is being translated (see pg. 2, lines 70-77 of *Anderson*). Thus, in order to keep the groove arrangement in contact with the inlet 47 or outlet 48 during a stroke of the piston, the groove arrangement must be helically configured. In the present invention, the piston translates without rotation, so the groove 42 is parallel to the piston axis. Accordingly, it is submitted that claim 1 and dependent claims 2-13 distinguish patentably over *Anderson* '160 taken alone or in combination with other prior art.

For a similar reason, independent method claim 22 is allowable. That is, claim 22 recites translating the piston without rotation, and rotating the piston without translation. As noted above, that is impossible in *Anderson* '160. Accordingly, it is

submitted that claim 22, along with dependent claims 23 and 24, distinguish patentably over *Anderson* '160 taken alone or in combination with other prior art.

New dependent claim 25, which depends from claim 1 recites a piston drive mechanism arranged to rotate the piston without translation thereof, and to translate the piston without rotation thereof. Thus, claim 25 distinguishes over *Anderson* '160 for similar reasons as claim 22.

Accordingly, it is submitted that all claims are in allowable condition.

The description has been amended to provide antecedent basis for language now used in the claims, such as "cylindrical recess", "rotation without translation" and "translation without rotation." The language is clearly supported by the original description and drawings. That is, numeral 38 references a cylindrical recess, and paragraphs 0039 and 0044 make it clear that in the preferred embodiment the piston rotates without translation and translates without rotation.


In light of the foregoing, it is submitted that the present application is in condition for allowance.

Respectfully submitted,

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